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TO Patent Office FAX 703 872 9306
FROM John Conway  PAGES 17 (INCLUDING THIS SHEET)
PHONE DATE 11/10/2004
RE Transmission of Second Copy of RCE plus Amendment
OUR FILE 1956/135 YOUR FILE Ser. No. 09/879,554

COMMENTS

Ex. Baderman told me that the RCE submitted on 10/21/04 in this case was not scanned properly and is not available in the image file wrapper. He requested I fax in a copy of the RCE plus amendment so that these documents can be properly scanned.

Attached are the papers filed with the RCE on that day.

01956/00135 345512.1

PLEASE NOTIFY BROMBERG & SUNSTEIN LLP AT (617) 443-9292, IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION.

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PATENT

Practitioner's Docket No. 1956/135

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James E. Dibb

Application No.: 09/879,554

Group No.: 2113

Date Filed: June 12, 2001

Examiner: S.T. Baderman

For: Method and System for Repairing a Redundant Array of Disk Drives

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. § 1.114)**

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
- i. Prior to abandonment of the application

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature 

John L. Conway

Date: October 19, 2004

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Request for Continued Examination (RCE) (37 C.F.R. § 1.114)--page 1 of 3

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ENCLOSURES

3. Enclosed herewith is:

Other: Response B

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of other than small entity.

Continued Prosecution Request Fee: 790.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY				
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE			
TOTAL	19	—	20	= 0 x \$	18.00	= \$	0.00	
INDEP.	3	—	3	= 0 x \$	88.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$	300.00	= \$	0.00	
TOTAL ADDIT. FEE							\$	0.00

No additional fee for claims is required.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for one month:

Fee: \$110.00

TOTAL FEE(S) DUE

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7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$790.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$0.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$110.00
Total Fee(s) Due:	\$900.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

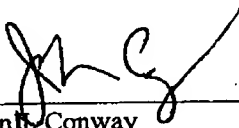
Check is attached for the sum of \$900.00.

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 19-4972.

INVENTORSHIP

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: October 19, 2004



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01956/00135 340452.1

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